

DEPEW NAMED IN SUIT FOR GRAVEYARD GAIN

Ex-Senator Said to Have Been
One of Promoters in Ceme-
tery Enterprises.

TELLS OF \$4,000,000 PROFITS

Baker Alleges That Comptroller
of Kensico Cemetery Co.
Didn't Divide.

In a suit brought by Francis E. Baker, a cemetery promoter, against Reese Carter, comptroller of the Kensico Cemetery Company, for his share of the profits of the cemetery promotions in New York, Massachusetts and Pennsylvania it is alleged that Senator Depew, Carpenter and William H. Lyon, president of the Kensico Cemetery Company, have made profits of \$3,000,000 to \$4,000,000. Baker says the use of Mr. Depew's name accelerated the sale of stock.

The plaintiff, through the law firm of Brower, Barkley & Stout, alleges that the cemetery enterprises in which he and Carpenter were partners succeeded through the practice of the defendant in having receivers appointed for existing corporations in some cases and to use the old cemetery companies as the basis for new ones. Mr. Baker asks that a receiver be appointed for his partnership with the defendant in the following cemetery corporations:

Forrest Lake and Capitol cemeteries in Maryland, near Washington, D. C.; Knollwood, near Boston; Greenmount, near Syracuse, and Lakeside, near Erie, Pa.

The complaint states that on February 1, 1907, the plaintiff and defendant entered into an agreement of partnership for organizing cemetery and other corporations and for reorganizing cemeteries then in existence and for acquiring land for cemetery purposes.

The defendant was to advance the money and the plaintiff was to receive his expenses paid, after which the profits were to be divided equally. Mr. Baker says the agreement also provides that he was to share in all sums and profits received by Carpenter from ex-Senator Depew, William H. Lyon, the defendant's wife, Caroline L. Carpenter, now deceased, and Granddaughter Carpenter, as well as from other members of the defendant's family.

Baker says that Carpenter represented that Depew and the others named, including himself, had made profits of \$200,000 in each of the original cemetery corporations and that their profits in the new corporations aggregated \$3,000,000 or \$4,000,000, and that in addition Carpenter and the others mentioned had received without consideration cemetery lots, notes and other evidences of cash and securities of the cemetery corporations. Mr. Baker alleges that he is entitled to half what the defendant got, but that Carpenter admitted this he is attempting to defraud Baker of his share of the rights by means of fictitious claims for alleged advancements.

The complaint also sets forth that in 1906 he made an agreement with the defendant by which they were to dispose of a 300-acre farm owned by the defendant, and as a result of this agreement Baker was to receive \$40,000. The complaint states that the defendant failed to make the contract for \$40,000 was made, but the defendant has failed to account for Baker's share of the proceeds. The complaint also alleges that Baker is entitled to the partnership money he appointed and that Carpenter be restrained from disposing of any part of it. The action is brought to bring the defendant to account for the partnership money he appointed by ex-Senator Depew from the various cemetery promotions in which he has been interested. Both Senator Depew and his son, William H. Lyon, Jr., are directors of the Kensico company.

FIGHTS MAIL TOLLS ON ROADS.
Fitzgerald Frightened by the Shackelford Amendment.

WASHINGTON, April 29.—Representative Fitzgerald, chairman of the House Appropriations Committee, led a fight in the House today against the Shackelford amendment to the post office appropriation bill providing that the Federal Government shall aid the good roads movement by paying a graduated toll for the use of State and county roads over which rural mails are carried. Mr. Shackelford estimates that the tolls will amount to no more than \$6,000,000 or \$7,000,000 annually, but Mr. Fitzgerald is frightened at the highest estimates of opponents, who figure as \$18,000,000.

"Where are we going to stop?" demanded Fitzgerald. "The demands keep coming and growing. If we let this go, it is left in the Treasury if such things continue."

Representative Madden of Illinois sought to amend the bill so that city streets might also share in the distribution of the funds. Representative Mann, the Republican leader, said that the time probably had arrived when the Federal Government must give good roads but he denounced the Shackelford amendment as a flagrant class legislation in that it discriminates in favor of rural roads.

HOUSE FOR THE REFERENDUM.
By a Vote of 32 to 119 National Representatives Favor It.

WASHINGTON, April 29.—By a vote of 32 to 119 the House of Representatives today went on record in favor of the principle of the referendum. While there was no politician involved in the measure no political party was involved. The measure marked the section relating to the referendum.

The bill provided for the payment of pensions to policemen and firemen in the District of Columbia. It was bitterly opposed by a number of members, among them Representative Shirley of Kentucky, a Democrat, who suggested an amendment providing that before the bill became a law an election should be held in the District to give residents an opportunity to indicate whether they favored the creation of a pension fund raised through the assessment of taxation on property in the District. After a lively debate the amendment was defeated. Representative Mann and McKinley of Illinois, Malby of New York and Barchfield and Olmsted of Pennsylvania voted for the Shirley amendment.

TRIALS IN CONTEMPT CASES.
Minority Report in Bill Proposing to Submit Them to Jury.

WASHINGTON, April 29.—Declaring that the Clayton bill providing for trials by jury in all cases of indirect contempt would impair the efficiency of the Federal courts the Republican members of the House Committee on the Judiciary today filed a minority report protesting against the passage of the measure. "This report says that the Clayton bill is to take away from the courts the right to determine the guilt or innocence of one charged with contempt in certain cases and to submit the question to a jury who properly should be passed on by a judge."

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embellished with numerous half-tone reproductions from photographs of actual views on Long Island, and containing a tabulated list of the hotels and boarding houses, with their rates, etc., free upon application to L. I. R. R. ticket offices, Broadway & Fifth Ave. Building, N. Y., or mailed on receipt of the postage by the General Passenger Agent, Long Island R. R., Room 313 Pennsylvania Station, New York.

PHILIPPINE INDEPENDENCE.

Republicans of the Insular Committee Oppose Bill Granting It.

WASHINGTON, April 29.—President Taft, Theodore Roosevelt and other public men are quoted in opposition to Philippine independence in a report on the Jones bill submitted to the House today by the Republican members of the Committee on Insular Affairs. The Jones bill, which was reported by the Democratic Insular Committee, declares the Philippines to be capable of self-government and directs that they shall be given their independence by 1917.

"It would be a cowardly shirking of our duty, a disgrace to the American people and an injury to the Filipinos to give them self-government before they are fitted for it," reads the concluding sentence of the Republican report. "The report, which was written by Representative Olmstead of Pennsylvania, declares that the bill providing for Philippine independence, 'would be enacted into law increase rather than lessen our responsibility, while lessening our ability to perform our just and moral obligation.'"

The report reviews the history of the Philippines to the capability of self-government and directs that they shall be given their independence by 1917. "It would be a cowardly shirking of our duty, a disgrace to the American people and an injury to the Filipinos to give them self-government before they are fitted for it," reads the concluding sentence of the Republican report. "The report, which was written by Representative Olmstead of Pennsylvania, declares that the bill providing for Philippine independence, 'would be enacted into law increase rather than lessen our responsibility, while lessening our ability to perform our just and moral obligation.'"

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Senator Works, Christian Scientist, Says It's Tragedy in Allographs.

WASHINGTON, April 29.—Protesting against the Owen bill creating a public health department as fostering the "worst, the most intolerant and the most dangerous monopoly and trust the country has ever known," Senator Works of California today assailed the allopathic school of medicine and urged medical freedom.

He said the bill was planned to condemn "the practice of Christian Science and other modes of healing as a menace to public health." "This whole movement," he asserted, "is by and in the interest of doctors of the regular school. No one else is demanding this law. They have manipulated political conventions and have beset the White House; they have infested the halls of Congress for years past to procure the passage of such a law. Their efforts have of late been directed chiefly against Christian Scientists and their mode of practice."

Mr. Works, who is himself a Christian Scientist, said that he could "fill the Capitol building with conscientious and reliable men and women, people of high character and unquestioned sincerity, who would bear witness to their healing by this means of some diseases pronounced incurable by the doctors."

SENATE FAVORS PUBLICITY.

Proposes to Uncover Contributions and Expenditures in 1904 and 1908.

WASHINGTON, April 29.—The Senate today passed the Culberson resolution directing the Elections Committee to inquire into the campaign contributions and disbursements made in 1904 and 1908. Not a vote was cast against it. The resolution was introduced nearly a year ago and only recently was revived when after a speech by Senator Culberson of the Committee on Audit and Control of Congressional Expenses agreed that funds were available to the Senate to investigate the campaign contributions of 1904 and 1908. On Saturday last the committee on Elections agreed to favorably report the measure.

The Elections Committee was given full power and may summon witnesses and compel their testimony. It may sit at any time, regardless of the sessions of the Senate.

VENEZUELAN CHEER U. S.

Congress Welcomes President's Mention of Knox's Visit.

WASHINGTON, April 29.—The American legation at Venezuela in a cable despatch to the State Department today said that President of Venezuela made a complimentary mention in his annual message to Congress of the recent visit of Secretary Knox to that country. It is reported that this portion of the message was received by the Congress with great enthusiasm.

BUSINESS TROUBLES.

Bankruptcy Petitions Against G. E. Stauff and J. Stevenson.

A petition in bankruptcy has been filed against George E. Stauff, who did business as the Electric Elevator and Machinery Maintenance Company at 24 Beekman street, by these creditors: Macomber White Moon Company, \$35; Patterson Bros., \$150; and H. W. Johns Manville Company, \$240. Judge Mayer appointed Nathan Smith receiver, bond \$2,000. It was stated that Mr. Stauff has not been at his place of business since April 1 and the Sheriff is in possession of the premises. Mr. Stauff's assets are \$10,000 and liabilities \$12,500. There are outstanding contracts amounting to \$9,000.

A petition in bankruptcy has been filed against the Hoffman Dry Goods Company of 140 Broadway, by these creditors: Joseph Goodman, \$280; Louis Meran, \$150; and Samuel Balkin, \$500. Liabilities are \$10,000 and assets \$2,200. The business was started in 1895 by Kallman Hoffman and incorporated on December 29, 1908, with a capital stock of \$100,000.

Daniel O. Lang, tailor at 4 West Forty-second street, has filed a petition in bankruptcy with liabilities of \$2,500 and assets \$250.

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In order to avoid the possibility of danger from ice, the steamers of the Hamburg-American Line have been ordered to take the most southerly course, going to latitude 38° on the eastward trips.

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Pres. Grant 18th, 10 A.M.
Pennsylvania 23d, 11 A.M.
Cincinnati 25th, 1 P.M.
Kais'n Aug. 30th, 10 A.M.

June Sailings
Victoria Louise 6th, 9 A.M.
Pres. Lincoln 6th, 11 A.M.
Amerika 13th, 9 A.M.
Pretoria 15th, 9 A.M.
Cleveland 20th, 10 A.M.
Hamburg 22d, 12 noon
Kais'n Aug. 30th, 9 A.M.
Pres. Grant 29th, 10 A.M.

July Sailings
Cincinnati 4th, 12 noon
Pennsylvania 6th, 10 A.M.
Amerika 11th, 2 P.M.
Pres. Lincoln 18th, 9 A.M.
Cleveland 25th, 9 A.M.
Kais'n Aug. 30th, 10 A.M.

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1 A. M. Aug. 7 Oct. 9

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June 12 July 24 Oct. 2
1 A. M. Aug. 21 Oct. 23

CARONIA CARMANIA CAMPANIA
MAY 4, 10 A.M. June 29. May 18, 10 A.M. July 13. June 5, 1 A.M. July 17
June 1, 10 A.M. July 31. June 15, 10 A.M. Aug. 10. June 26, 1 A.M. Aug. 14

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Baltic May 9, 12:00 noon

American
Plymouth-Cherbourg-Southampton
June 11, 9:30 A.M. (Olympic) June 27
June 18, 9:30 A.M. (Olympic) June 27

Atlantic Transport
New York-London Direct Pier 38, N. R.
Minnetonka May 4, 10:30 A.M.
Finland May 4, 10:30 A.M.
Baltic May 9, 12:00 noon

Red Star
Plymouth-Cherbourg-Southampton
June 11, 9:30 A.M. (Olympic) June 27
June 18, 9:30 A.M. (Olympic) June 27

White Star
Plymouth-Cherbourg-Southampton
June 11, 9:30 A.M. (Olympic) June 27
June 18, 9:30 A.M. (Olympic) June 27